

Application No. _____
Hansen No. _____
Previous App: _____

d. DISTRICT DEPARTMENT OF TRANSPORTATION

Public Space Permit Office
941 N. Capitol Street NE, Ste. 2300
Tele. 202-645-6140
Fax. 202-645-0168

Special Tree Removal Permit Application

TITLE 24, DCMR, Public Space and Safety, Chapter 37

Except as otherwise provided, no person or non-governmental entity shall remove a Special Tree without a Special Tree Removal Permit issued by the Urban Forestry Administration, as provided in the Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code 8-651.01 et seq.)

Special Tree – a tree within the District of Columbia that has a minimum circumference of fifty-five inches (55 in.).

Permits are issued under at least one of the following conditions:

(1) An International Society of Arboriculture (ISA) certified arborist asserts the tree as hazardous to life and/or property.

(2) The tree is of a species exempt from the law. The three exempt tree species are: Ailanthus altissima (Tree of Heaven); Morus species (Mulberry); Acer platanoides (Norway maple).

(3) The property owner declares on the permit application to (a) plant a quantity of saplings whose aggregated circumference equals or exceeds the circumference of the Special Tree(s) to be removed, (b) pay into the Tree Fund a tree replacement fee of \$35 per inch of circumference of each Special Tree to be removed, or (c) perform a combination of both (a) and (b).

INSTRUCTIONS

A SEPARATE APPLICATION MUST BE COMPLETED FOR EACH TREE PROPOSED FOR REMOVAL.

APPLICANT MUST COMPLETE AND SUBMIT THE COMPLETED APPLICATION TO THE PUBLIC SPACE PERMIT OFFICE LOCATED AT 941 N. CAPITOL STREET NE, SUITE 2300, WASHINGTON, DC 20002.

1. Applicant information (Items 1-17)
2. Signature AND date (Items 18 and 19)
3. Tree replacement/reimbursement (where applicable) (Item 28)
4. Signature AND date (Items 29 and 30)

IF THE REPLACEMENT TREE(S) WILL BE PLANTED ON PROPERTY NOT OWNED BY THE APPLICANT, EACH OWNER OF THE PROPERTY WHERE THE REPLACEMENT TREE(S) WILL BE PLANTED MUST FILL THE FOLLOWING ITEMS:

Item 31:

1. List location(s) where replacement tree(s) will be planted
2. Sign AND date

AN ISA-CERTIFIED ARBORIST, WHETHER HIRED BY THE PROPERTY OWNER OR EMPLOYED BY THE URBAN FORESTRY ADMINISTRATION (UFA), MUST COMPLETE THE FOLLOWING ITEMS:

1. Arborist information (items 20-27)
2. ISA-Certified Arborist Report (items 32-39)
3. Signature AND date (Items 40 and 41)

Items 42-45 are for UFA use ONLY.

CONDITIONS OF APPLICATION AND PERMIT

As a condition precedent to the issuance of such permit, and in consideration thereof, the applicant, Permittee, property owner and all other applicable persons or authorized agents, in affixing his signature hereto and in accepting any permit issued, agree to the following conditions, which are incorporated in the application for such permit:

- (1) The performance of any work associated with this permit shall be strictly in accordance with the conditions set forth herein authorizing such work.
- (2) The performance of any work authorized under the permit shall be in full compliance with all applicable laws and regulations of the District of Columbia.
- (3) The Urban Forestry Administration reserves the right to grant or deny the permit based on expertise, experience, and judgment.
- (4) The applicant guarantees that if, in the opinion of the Director of the District Department of Transportation or his representative, any work performed in, or occupancy of, public space by him or on his behalf, in any manner becomes dangerous to, or interferes with, pedestrian or vehicular traffic, the applicant shall take such action as, in the opinion of said Director or his representative is necessary to remove such dangerous condition.
- (5) The applicant shall hold harmless the District of Columbia, its officers and employees from all claims, suits, charges, counsel fees, and judgments to which the District, its officers and employees may be subject on account of injury to persons or damage to property, including property of the District of

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Columbia, due to negligence of the applicant, Permittee, property owner and all other applicable persons or authorized agents, or occasioned by work not authorized by said permit, or resulting from failure to observe and comply with the terms and conditions of this application and permit.

- (6) The applicant, Permittee, property owner and all other applicable persons or authorized agents is prohibited from knowingly giving or submitting false information; to do so shall be considered a breach of conditions and be grounds for revocation.
- (7) Revocation - The permit may be terminated upon breach of any of the stated conditions or at the discretion of the Director of the District Department of Transportation.

REPLACEMENT TREES

- (1) Replacement trees, when planted, shall have a minimum caliper size of two (2) inches.
- (2) The replacement trees shall be properly planted according to the International Society of Arboriculture standards that are in effect at the time of planting.
- (3) The replacement trees shall be planted only during the planting season (October 15 to May 1), except that planting must be completed no later than seven (7) months after the Special Tree is removed, unless construction activity makes planting of replacement trees infeasible, in which case planting of replacement trees shall be completed no later than seven (7) months after construction is finished.
- (4) Replacement trees shall not be one of the following species: Ailanthus altissima (Tree of Heaven); Morus species (Mulberry); Acer platanoides (Norway maple).
- (5) For a twelve (12) month period after planting, the replacement trees shall be watered, mulched, and, when appropriate, removed from any tree protection stakes and guy wires.
- (6) A non-hazardous replacement tree shall not be cut down, girdled, broken, or destroyed unless the replacement tree has grown into a Special Tree, and then only if a Special Tree Removal Permit has been issued.
- (7) Not later than thirty (30) days after the replacement trees are planted, the Permittee shall mail or hand deliver to the Urban Forestry Administration a certification, signed by the Permittee, attesting to the successful planting of the replacement trees.
- (8) An inspector of the Urban Forestry Administration shall be granted reasonable access to the property where the replacement trees are planted for a period of twelve (12) months following planting.
- (9) If replacement trees are not planted on the same property where the Special Tree is located, then the Permittee shall record the Special Tree Removal Permit in the land records of the District of Columbia against the property on which the replacement trees are to be planted and mail or hand deliver confirmation of the recorded Special Tree Removal Permit to the Urban Forestry Administration at 2217 14th St. NW 3rd Floor Washington, DC 20009 no later than thirty (30) days after the Special Tree Removal Permit is issued, except that this requirement shall not apply where the property is owned by or under the jurisdiction of the District of Columbia.

TREATMENT OF TREES IN PUBLIC SPACE

- (1) The applicant, Permittee, property owner and all other applicable persons or authorized agents will not cut or injure trees, or pile earth or other material within 3 feet of trees in the public space unless such trees are properly protected in a manner approved by the Director of the District Department of Transportation or his representative.
- (2) The applicant, Permittee, property owner and all other applicable persons or authorized agents shall not interfere with existing underground construction.
- (3) Surface (lawns, grass, shrubs, sidewalks, etc.) will be restored upon completion of work.

CONDITIONS OF TREATMENT OF TREES IN PUBLIC SPACE

- (1) All material, equipment, surplus material, debris, etc., will be removed from public space as soon as possible, consistent with working hours and conditions, within 3 working days following the completion of the work authorized by the permit.
- (2) In the event the District of Columbia, as a consequent of any failure of the applicant, Permittee, property owner and all other applicable persons or authorized agents to maintain the public space in a safe condition, is required to repair said public space, such repair by the District of Columbia shall be at the applicant's expense and the applicant agrees to reimburse the District of Columbia for all costs of such repair and shall not be relieved of responsibility for maintaining said public space in a safe condition, by reason of any such repair.

FINES

- (1) Any person or non-governmental entity that violates any provision of the Urban Forest Preservation Act of 2002, Chapter 37 of the D.C. Municipal Regulations, or any condition of the permit shall be subject to a civil infraction fine of one hundred dollars (\$100) per inch of circumference of the tree or trees in question.

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I. Application

Applicant: Please print clearly and legibly.

(1) Last Name or Business		(2) First Name	
(3) Address			
(4) City	(5) District/State	(6) Zip	(7) Ward
(8) Phone 1	(9) Phone 2	(10) Email	

Address of property where Special Tree is located if different from applicant's address.

(11) Address			
(12) City	(13) District/State	(14) Zip	(15) Ward

(16) Check One:

- ☐ I authorize an arborist from the Urban Forestry Administration to inspect the tree proposed for removal.
☐ I have hired an ISA-certified arborist to inspect the tree proposed for removal. (Arborist must complete section below and worksheets on pages 5 and 6).

(17) Previous Application No. (*if applicable*): _____

(18) Signature of Applicant (19) Date

This section must be completed ONLY by an ISA-certified arborist.

(20) Name		(21) ISA Certification Number
(22) Company		(23) Phone
(24) Address		
(25) City	(26) District/State	(27) Zip

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II. TREE REPLACEMENT/REIMBURSEMENT

REPLACEMENT

FORMULA: Inches of circumference ÷ 3.14(pi) = Inches in diameter
 Inches in diameter ÷ 2 in. replacement requirement = Required number of two-inch caliper replacement trees

EXAMPLE: A Special Tree 55 inches in circumference is proposed for removal. The tree is deemed not hazardous by an ISA-certified arborist. Here, the replacement formula is applied:

55 in. ÷ 3.14 = 18 in. diameter
18 in. diameter ÷ 2 in. = 9

Nine 2 in. caliper saplings would be required to replace the 55 in. tree proposed for removal.

(28) I agree to compensate for the loss of the Special Tree by:

- A. Paying into the Tree Fund \$35 per inch of circumference: \$_____
- B. Planting _____ two-inch caliper saplings
- C. Performing a combination of (A) and (B)
- Planting _____ two-inch caliper saplings

Paying \$_____ into the Tree Fund (*Make check payable to the “DC Treasurer” with “Tree Fund” in the memo section*)

(29) Applicant (30)Date

(31) LIST LOCATIONS WHERE REPLACEMENT TREES WILL BE PLANTED

By signing below, I agree, on behalf of the present and future owner(s), to abide by the conditions associated with the Special Tree Removal Permit Application and Permit with respect to replacement trees located on the District of Columbia properties listed below. Attach additional sheet(s) if necessary.

Location: _____

Property Owner _____

Date _____

Location: _____

Property Owner _____

Date _____

Location: _____

Property Owner _____

Date _____

Location: _____

Property Owner _____

Date _____

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III. ISA Certified Arborist Report

(32) **Tree Species:** _____ (33) **Circumference:** _____ inches (34) **Live Crown Ratio:** _____%

If the tree species Ailanthus altissima (Tree of Heaven); Morus species (Mulberry); or Acer platanoides (Norway maple), please skip the following sections and sign and date. (Items 40 and 41 of the application)

Hazardous Tree Assessment

This form is based on the USDA Forest Service’s 10-point numeric Tree Risk Rating System. The total risk rating is equal to the numeric sum of three primary components. Fill in the circle next to each risk factor found and write in the corresponding number of points. See the formula below:

(35) **Probability of Failure: 1-4 points** _____

1. **Low: some minor defects present: (1 point)**
 - ☐ Minor branch/crown dieback
 - ☐ Minor defects or wounds
2. **Moderate: several moderate defects present: (2 points)**
 - ☐ Stem decay or cavity within safe shell limits: shell thickness > 1 inch of sound wood for each 6 inches of stem diameter
 - ☐ Crack(s) without extensive decay
 - ☐ Defect(s) affecting 30 to 40 percent of the tree’s circumference
 - ☐ Crown damage/breakage: hardwoods up to 50 percent; pines up to 30 percent
 - ☐ Weak branch union: major branch or codominant stem has included bark
 - ☐ Stem girdling roots: <40 percent tree’s circumference with compressed wood
 - ☐ Root damage: <40 percent of roots damaged within the CRR
3. **High: multiple or significant defects present: (3 points)**
 - ☐ Stem decay or cavity at or exceeding shell safety limits: shell thickness < 1 inch of sound wood for each 6 inches of stem diameter
 - ☐ Cracks, particularly those in contact with the soil or associated with other defects
 - ☐ Defect(s) affecting >40 percent of the tree’s circumference
 - ☐ Crown damage/breakage: hardwoods >50 percent; pines >30 percent
 - ☐ Weak branch union with crack or decay
 - ☐ Girdling roots with >40 percent of tree’s circumference with compressed wood
 - ☐ Root damage: >40 percent of roots damaged within the CRR
 - ☐ Leaning tree with recent root breakage or soil mounding, crack or extensive decay
 - ☐ Dead tree: standing dead without other significant defects
4. **Extremely High: multiple and significant defects present; visual obstruction of traffic signs/lights or intersections: (4 points)**
 - ☐ Stem decay or cavity exceeding shell safety limits and severe crack
 - ☐ Cracks: where stem or branch is split in half
 - ☐ Defect(s) affecting >40 percent of the tree’s circumference or CRR and extensive decay or crack(s)
 - ☐ Weak branch union with crack and decay
 - ☐ Leaning tree with recent root breakage or soil mounding and a crack or extensive decay
 - ☐ Dead branches: broken (hangers) or with a crack
 - ☐ Dead trees: standing dead with other defects such as cracks, hangers, extensive decay, or major root damage
 - ☐ Visual obstruction of traffic signs/lights or intersections
 - ☐ Physical obstruction of pedestrian or vehicular traffic

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III. ISA Certified Arborist Report

Hazardous Tree Assessment --Cont'd.

(36) **Size of Defective Part(s): 1-3 points** _____

- Parts less than 4 inches in diameter **(1 point)**
- Parts from 4 to 20 inches in diameter **(2 points)**
- Parts greater than 20 inches in diameter **(3 points)**

(37) **Probability of Target Impact: 1-3 points** _____

- **Occasional Use:** Low use trails and roadways; parking lots adjacent to low use areas; natural or wilderness areas; transition or buffer areas with limited public use; industrial areas. **(1 point)**
- **Intermittent Use:** Moderate to low use school playgrounds, parks, and picnic areas; parking lots adjacent to moderate use areas; secondary roads and intersections, (neighborhoods) and park trails within moderate to high use areas; and dispersed campgrounds. **(2 points)**
- **Frequent Use:** Emergency access routes, medical and emergency facilities and shelters, and handicap access areas; high use school playgrounds, parks and picnic areas; bus stops; visitor centers, shelters, and park administrative buildings and residences; main thoroughfares and congested intersections in high use areas; parking lots adjacent to high use areas; interpretive signs, kiosks, scenic vistas; and campsites. **(3 points)**

(38) **Subjective Risk Factors (Optional): 0-2 points** _____

This category is to be used if professional judgment suggests the need to increase the risk rating. It is especially helpful to use when tree species growth characteristics become a factor in risk rating. For example, some tree species have growth patterns that make them more vulnerable to certain defects such as weak branch unions and branch shedding.

Total Risk Rating (3-10 points) = probability of failure (1-4 points) + size of defective part (1-3 points) + probability of target impact (1-3 points) + optional subjective risk factor (0-2 points)

(39) **TOTAL RISK RATING SCORE:** _____

(40) ISA Certified Arborist _____

(41) Date _____

FOR UFA USE ONLY

____ (42) This Special Tree Removal Permit application is **approved** for the following reason:

- ___ (a) A UFA or ISA-certified arborist has determined that the tree is hazardous.
- ___ (b) A UFA or ISA-certified arborist has determined that the tree is an exempt species.
- ___ (c) Declared compensation for proposed removal of Special Tree is deemed adequate.

____ (43) This Special Tree Removal Permit application is **denied** pending further action by applicant for the following reason(s):

- ___ (a) A UFA arborist has determined that the tree is not hazardous.
- ___ (b) A UFA arborist has determined that the tree is not an exempt species.
- ___ (c) Declared compensation for proposed removal of Special Tree is deemed inadequate.
- ___ (d) Inspecting arborist is not ISA-certified at time of application review.

____ (44) UFA Inspection/Validation Performed by

(45) Date _____